

made to obtain the fullest and most accurate possible count of the population, including appropriate funding for state and local census outreach and education programs as well as provisions for post-census local review; and

Whereas, the members of the Forty-fourth Legislative oppose census numbers for state legislative redistricting that have been determined in whole or in part by the use of random sampling techniques of other statistical methodologies that and or subtract persons to the census counts based solely on statistical inference.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Bureau of the Census conduct the 2000 census consistent with the United States Supreme Court's ruling and establish constitutional and legal mandates, which require a physical head count of the population and bar the use of statistical sampling to create or in any way adjust the count.

2. That Public Law 94-171 data not be used for state legislative redistricting if it is based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons to or from the census counts.

3. That it receive Public Law 94-171 data for legislative redistricting that is identical to the census tabulation data used to apportion the seats in the United States House consistent with the United States Supreme Court ruling and constitutional mandates that require a physical head count of the population and bar the use of statistical sampling to create or in any way adjust the count.

4. That the Congress of the United States, as the branch of government assigned with the responsibility of overseeing the decennial census, take any steps necessary to ensure that the 2000 census is conducted fairly and legally.

5. That the Secretary of the State of Arizona transmit a copy of this Memorial to the Speaker of the United States House of Representatives, the President of the United States Senate, the Director of the United States Bureau of the Census and each Member of Congress from the State of Arizona.

POM-136. A joint resolution adopted by the Legislature of the State of Arizona relative to the Endangered Species Act of 1973; to the Committee on Environment and Public Works.

#### HOUSE JOINT RESOLUTION 2001

Whereas, the endangered species act of 1973 (P.L. 93-205; 87 Stat. 884; 16 United States Code sections 1531 et seq.), as amended, was enacted for the purpose of the conservation and recovery of endangered and threatened species by protecting and conserving habitat and related ecosystems; and

Whereas, in pursuing that policy, the endangered species act provides for no consideration or accommodation of human activities, requirements or interests; and

Whereas, the United States fish and wildlife service of the department of the interior has shown little regard or willingness to make administrative adjustments to accommodate human activities, requirements or interests in administering and enforcing the endangered species act; and

Whereas, much of the enforcement pursuant to the endangered species act is based on dubious scientific research and outcome-oriented analysis; and

Whereas, the Arizona game and fish department is charged with managing the fish

and wildlife resources of this state in the best interests of the present and future generations of Arizonans; and

Whereas, the Arizona game and fish department has recommended against the listing of several species of animals as threatened or endangered based on sound biological information, only to have their recommendation ignored by the United States fish and wildlife service and the secretary of the interior; and

Whereas, the endangered species act allows the courts no discretion in imposing the requirements of the act over all human activity that may remotely affect the species; and

Whereas, the result of the implementation and enforcement of the endangered species act is to threaten and endanger the economy and way of life throughout the west; and

Whereas, the industries that depend on harvesting, extracting or otherwise using natural resources are particularly endangered; and

Whereas, harvesting trees for timber and pulp wood is threatened throughout the western states and has been all but eliminated in Arizona, except on Indian reservations, thereby eliminating much needed rural employment and causing a dangerous buildup of wildfire fuel; and

Whereas, livestock ranching is endangered by massive reductions in federal grazing allotments leaving ranches and ranch families near bankruptcy with no option but that of selling their private land for development thereby losing the traditional responsible stewardship for the land and other resources; and

Whereas, the mining industry is endangered to the brink of extinction and the loss of quality employment for thousands of mine workers and the collapse of an important component of the economy of the state of Arizona and other western states; and

Whereas, certain single issue special interest groups are able to abuse the endangered species act to achieve their narrow personal agenda by litigating against productive economic activities, as well as hunting, fishing and other recreational activities, all to the detriment of our heritage, our culture and our society; therefore be it

*Resolved by the Legislature of the State of Arizona:*

1. That the policy of the State of Arizona, its governor and the legislature is to preserve and protect our way of life, our heritage and our culture, including the economic base of the rural areas of this state.

2. That the endangered species act must be modified to: (a) Recognize, protect and conserve human interests at the same time and on the same priority level as environmental interests. (b) Provide for a more flexible and accommodating administration and enforcement system, based on sound scientific analysis and research, so that the United States fish and wildlife service and other federal agencies work with, rather than impose on, the people of this state. (c) Allow the courts flexibility to issue rulings that protect human interests as well as environmental interests.

3. That the Secretary of State transmit copies of this Resolution to the President of the United States, the Secretary of the United States Department of the Interior, the President of the United States Senate, the Speaker of the United States House of Representatives and to each member of the Arizona Congressional delegation.

POM-137. A concurrent resolution adopted by the Legislature of the State of West Virginia relative to the Appalachian Development Highway System; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION No. 14

Whereas, The construction of the Coalfields Expressway in Southern West Virginia is due to begin in 1999; and

Whereas, The Coalfields Expressway needs approximately 1.5 billion dollars for completion; and

Whereas, Motorists in West Virginia pay into the Highway Trust Fund at the rate of 18.4 cents tax for each gallon of gasoline purchased and 24.4 cents tax on each gallon of diesel fuel purchased; and

Whereas, The Appalachian Development Highway system was conceived by the United States Congress with the intention of aiding the economy of the entire Appalachian Region and is now funded directly through the Highway Trust Fund; and

Whereas, A recent study on the Appalachian Development Highway System has concluded that upon completion, this system would provide 42,000 new jobs, 84,000 new residents, 2.9 billion dollars in new wages and 6.9 billion dollars in value-added business in the region served by the system; and

Whereas, The Coalfields Expressway, when completed, would traverse the counties of Raleigh, Wyoming and McDowell, and would greatly benefit these counties in the form of increased employment opportunities and economic growth; and

Whereas, Two of these three counties, Wyoming and McDowell, consistently place near the top of state and national unemployment lists; and

Whereas, The Coalfields Expressway is not a part of the Appalachian Development Highway System, instead receiving funding through special appropriations from the United States Congress at irregular intervals; and

Whereas, The funding received by the Coalfields Expressway has thus far consisted of a single appropriation of 50 million dollars in 1991 and a single appropriation of 22.7 million dollars in 1998; and

Whereas, Incorporation of the Coalfields Expressway into the Appalachian Development Highway System would allow for additional funding to complete the Coalfields Expressway from the Highway Trust Fund; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the members of the West Virginia delegation to the United States Congress are hereby requested to make all possible efforts to support and assist the incorporation of the Coalfields Expressway into the Appalachian Development Highway System; and, be it

*Further Resolved*, That the Clerk of the House of Delegates is hereby directed to forward a copy of this resolution to all members of the West Virginia delegation to the United States Congress, to the Clerk of the United States House of Representatives, to the Clerk of the United States Senate and to the Executive Director of the Coalfields Expressway.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations: Special Report entitled "Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2000" (Rept. No. 106-52).

By Mr. STEVENS, from the Committee on Appropriations, without amendment:

S. 1122: A original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes (Rept. No. 106-53).

By Mr. STEVENS, from the Committee on Appropriations, with amendments and an amendment to the title:

H.R. 1664: A bill making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.

#### EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. WARNER, for the Committee on Armed Services:

Ikram U. Khan, of Nevada, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 1999.

Ikram U. Khan, of Nevada, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 2005. (Reappointment)

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Paul V. Hester, 2071

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be major general*

Brig. Gen. Roger A. Brady, 6581

#### IN THE ARMY

The following named officer for appointment as the Vice Chief of Staff, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3034:

#### *To be general*

Lt. Gen. John M. Keane, 9856

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

#### *To be major general*

Brig. Gen. Robert A. Harding, 6107

#### IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

#### *To be major general*

Brig. Gen. Robert R. Blackman, Jr., 0141

Brig. Gen. William G. Bowdon, III, 2940

Brig. Gen. James T. Conway, 2270

Brig. Gen. Arnold Fields, 0640

Brig. Gen. Jan C. Huly, 6184

Brig. Gen. Jerry D. Humble, 2378

Brig. Gen. Paul M. Lee, Jr., 3948

Brig. Gen. Harold Mashburn, Jr., 6435

Brig. Gen. Gregory S. Newbold, 6783

Brig. Gen. Clifford L. Stanley, 4000

The following named officer for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 5046:

#### *To be brigadier general*

Col. Joseph Compusto, 3413

The following named officers for appointment in the Reserve of the United States Marine Corps to the grade indicated under title 10, U.S.C., section 12203:

#### *To be brigadier general*

Col. Thomas J. Nicholson, 4342

Col. Douglas V. Odell, Jr., 0212

Col. Cornell A. Wilson, Jr., 9123

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Raymond P. Ayres, Jr., 5986

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Earl B. Hailston, 8306

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. Frank Libutti, 7426

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *to be rear admiral (lower half)*

Capt. Craig R. Quigley, 1769

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

#### *To be rear admiral*

Rear Adm. (lh) John B. Cotton, 2052

Rear Adm. (lh) Vernon P. Harrison, 2188

Rear Adm. (lh) Robert C. Marlay, 9681

Rear Adm. (lh) Steven R. Morgan, 1542

Rear Adm. (lh) Clifford J. Sturek, 3187

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

#### *To be rear admiral*

Rear Adm. (lh) John F. Brunelli, 8026

Rear Adm. (lh) John N. Costas, 6461

Rear Adm. (lh) Joseph C. Hare, 2723

Rear Adm. (lh) Daniel L. Kloeppel, 8985

Mr. WARNER. Mr. President, for the Committee on Armed Services, I also report favorably nomination lists which were printed in full in the RECORDS of March 18, 1999 and May 12, 1999, at the end of the Senate proceedings, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

In the Navy nomination of Don A. Frasier, which was received by the Senate and appeared in the Congressional Record of March 18, 1999.

In the Air Force nomination of Donna R. Shay, which was received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nominations beginning Joseph B. Hines, and ending \*Peter J. Molik, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nomination of Timothy P. Edinger, which was received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nomination of Chris A. Phillips, which was received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nominations beginning Robert B. Heathcock, and ending James B. Mills, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nominations beginning Paul B. Little, Jr., and ending John M. Shepherd, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nominations beginning Bryan D. Baugh, and ending Jack A. Woodford, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Marine Corps nominations beginning Dale A. Crabtree, Jr., and ending Kevin P. Toomey, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Marine Corps nominations beginning James C. Addington, and ending David J. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Marine Corps nominations beginning James C. Andrus, and ending Philip A. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Navy nomination of Norberto G. Jimenez, which was received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Navy nominations beginning Neil R. Bourassa, and ending Steven D. Tate, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Navy nominations beginning Basilio D. Bena, and ending Harold T. Workman, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ASHCROFT:

S. 1113. A bill to amend title XXIV of the Revised Statutes, relating to civil rights, to prohibit discrimination against nongovernmental organizations and certain individuals on the basis of religion in the distribution of government funds to provide government assistance and the distribution of the assistance, to allow the organizations to accept the funds to provide the assistance to the individuals without impairing the religious character of the organizations or the religious freedom of the individuals, and for other purposes; to the Committee on Governmental Affairs.

By Mr. ENZI:

S. 1114. A bill to amend the Federal Mine Safety and Health Act of 1977 to establish a more cooperative and effective method for rulemaking that takes into account the special needs and concerns of smaller miners; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SPECTER:

S. 1115. A bill to require the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Pittsburgh, Pennsylvania, area; to the Committee on Veterans Affairs.